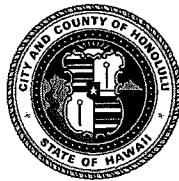


**OFFICE OF THE MAYOR  
CITY AND COUNTY OF HONOLULU**

530 SOUTH KING STREET, ROOM 300 \* HONOLULU, HAWAII 96813  
PHONE: (808) 768-4141 \* FAX: (808) 768-4242 \* INTERNET: [www.honolulu.gov](http://www.honolulu.gov)



KIRK CALDWELL  
MAYOR

ROY K. AMEMIYA, JR.  
MANAGING DIRECTOR  
  
GEORGETTE T. DEEMER  
DEPUTY MANAGING DIRECTOR

August 20, 2015

Mr. Glen Takahashi  
City Clerk  
Office of the City Clerk  
530 South King Street  
Honolulu, Hawaii 96813

RECEIVED  
CITY CLERK  
C & C OF HONOLULU  
2015 AUG 19 PM 2:12

Dear Mr. Takahashi:

**SUBJECT: Approved Bills**

The following bills are approved and returned herewith:

Bill 24, CD1, FD1	Relating to car sharing.
Bill 30, CD1	Relating to real property tax exemption for credit unions.
Bill 42, CD2, FD1	To establish a fund to address mitigation costs relating to the construction of the transit project.
Bill 45	Relating to baby diaper-changing accommodations.

Sincerely,

A handwritten signature in black ink, appearing to read "Kirk Caldwell", is written over a horizontal line.

Kirk Caldwell  
Mayor



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## A BILL FOR AN ORDINANCE

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RELATING TO CAR SHARING.

BE IT ORDAINED by the People of the City and County of Honolulu:

SECTION 1. Purpose. The purpose of this ordinance is to establish a program in connection with the public transit system to improve the mobility of Honolulu residents by providing support and regulation to car-sharing organizations.

SECTION 2. Chapter 15, Revised Ordinances of Honolulu 1990, as amended ("Traffic Code"), is amended by adding a new article to be appropriately designated by the revisor of ordinances and to read as follows:

**"Article \_\_. Public Transit Supportive Services**

**Sec. 15-\_\_1 Reserved car-sharing parking stalls and stickers.**

- (a) The director of the department of transportation services or the director's designee ("director") is authorized and directed to establish, mark and designate reserved car-sharing parking stalls in city controlled public off-street parking facilities and assign them for exclusive use by an entity meeting the definition of a car-sharing organization in HRS Section 251-1. The director shall limit the total number of reserved car-sharing parking stalls to no more than 50 stalls in any calendar year within city-controlled public off-street parking facilities.
- (b) Reserved car-sharing parking stalls shall be established, categorized and assigned to car-sharing organizations according to administrative rules adopted by the department of transportation services ("department") pursuant to HRS Chapter 91. In addition, at least 30 days before the assignment of the first stall, the director shall provide a written report to the city council on the department's efforts demonstrating interaction and solicitation of community input in the affected areas, including a summary of community concerns, efforts made to address community concerns expressed during the rulemaking process, and the location of each reserved space being made available to car-sharing organizations under this section.
- (c) The director shall establish, charge and collect annual fees for each reserved car-sharing parking stall. The annual fee for a reserved car-sharing parking stall shall be \$1,500.
- (d) Any car-sharing organization that is assigned one or more reserved car-sharing parking stalls in city-controlled public off-street parking facilities shall pay to the



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## A BILL FOR AN ORDINANCE

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director an annual fee as provided for in subsection (c), plus a fee of twenty dollars for a reserved car-sharing parking stall sticker for each vehicle in its fleet that will be allowed to park in such reserved car-sharing stall(s). When a reserved car-sharing parking stall sticker is mutilated, defaced or lost, a replacement sticker shall be issued upon payment of twenty dollars.

- (e) Reserved car-sharing parking stall stickers shall be effective for a calendar year, state the date of expiration, be uniquely numbered, and be displayed on a vehicle inside the lower portion of the windshield on the driver's side of the vehicle. The annual fee for the reserved car-sharing parking stall or sticker shall be prorated on a monthly basis if the stall is assigned or the sticker is purchased after January 31.
- (f) No vehicle shall park in a reserved car-sharing parking stall unless there is affixed to the vehicle a valid and current reserved car-sharing parking stall sticker acquired pursuant to subsection (d). Any vehicle parking in a reserved car-sharing parking stall without a valid and current reserved car-sharing parking stall sticker shall be subject to being towed, and the owner of such vehicle shall be subject to a fine of \$100 for each offense.

### **Sec. 15-\_\_2 Car-sharing meter parking decals.**

- (a) The director may issue parking decals to an entity meeting the definition of a car-sharing organization in HRS Section 251-1 for use of unreserved on- and off-street metered parking stalls. The director shall issue no more than 175 total car-sharing meter parking decals in each calendar year to car sharing organizations. Upon submission of the decal request, the entity shall also disclose the nature, approximate geographic areas or addresses, and number of off-street and on-street parking stalls that the organization intends to use.
- (b) At least 30 days before issuance of the first decal, the director shall provide a written report to the city council on the department's efforts demonstrating interaction and solicitation of community input in the affected areas, including a summary of community concerns and efforts made to address community concerns.
- (c) Any car-sharing organization requesting a car-sharing meter parking decal shall pay to the director an annual fee for each car-sharing meter parking decal issued to the organization. The annual fee for a car sharing meter parking decal shall be \$1,500 plus a decal fee of twenty dollars.



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**A BILL FOR AN ORDINANCE**

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- (d) When a car-sharing meter parking decal is mutilated, defaced or lost, a replacement decal shall be issued upon payment of twenty dollars.
- (e) Within 60 days of the end of the calendar year, the car-sharing organization must provide data showing actual use of metered parking stalls for each car-share vehicle for the preceding year. In the event a car-sharing organization's total actual usage of metered parking stalls, as determined by the city, during the prior meter parking decal term exceeds the annual fee for the car-sharing meter parking decal, the car-sharing organization shall reimburse the city for the difference no later than March 31 of each year.
- (f) Car-sharing meter parking decals shall be effective for a calendar year, state the date of expiration, be uniquely numbered, and be displayed on a vehicle inside the lower portion of the windshield on the driver's side of the vehicle. The annual fee for the car-sharing meter parking decals shall be prorated on a monthly basis if purchased after January 31.
- (g) The vehicles displaying valid and current parking decals issued under subsection (a) may park in those off-street and on-street metered parking stalls established pursuant to Sections 15-22.2, 15-23.1 and 15-23.2, which allow parking for longer than one hour: (1) Without paying meter fees; and (2) For periods longer than the parking time limit designated by official signs established under Section 15-16.1. A parking decal shall allow a car-sharing organization vehicle to park without charge in an authorized metered parking stall for up to 24 hours.
- (h) Car-sharing meter parking decals issued under this section shall not be effective during a parade or special event or when parking is otherwise prohibited pursuant to Sections 15-13.12, 15-14.8, and 15-22.8, or other applicable laws.

**Sec. 15-\_\_3 Eligibility for decals or stickers.**

Any car-sharing organization shall provide proof to the department that it is properly registered with the State of Hawaii Department of Taxation pursuant to HRS Section 251-3(a) before it may apply for decals or stickers under this article.

**Sec. 15-\_\_4 Car-sharing reporting requirements.**

- (a) Any car-sharing organization that is assigned one or more reserved car-sharing parking stalls or that purchases one or more car-sharing meter parking decals pursuant to Sections 15-\_\_1 and 15-\_\_2 shall be required to survey their membership upon signup and annually thereafter, and provide an annual report to the director, no later than 90 days after the end of the calendar year.



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**A BILL FOR AN ORDINANCE**

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- (b) The annual report shall include the following information for the immediately preceding calendar year: 1) the number of car-sharing meter parking decals issued; 2) the difference between the initial annual fee for the car-sharing meter parking decal and actual usage of metered parking stalls; 3) descriptive data about how often the car-sharing vehicles are rented versus parked, peak use periods, and how and when vehicles tend to be distributed in certain areas of the city; and 4) any other information deemed pertinent by the council.
- (c) The director shall annually submit to the council, no later than 120 days after the end of the calendar year, a written report on car-sharing operations participating in the program under this article during the preceding calendar year. The report must include:
  - (1) A compilation of all information provided in each car-sharing organization's annual report submitted pursuant to subsections (a) and (b);
  - (2) A discussion of the department's efforts to verify that the data provided is complete, consistent, accurate, and reliable;
  - (3) The department's assessment, based on available data, of the effect the car-sharing operations have had on traffic congestion and motor vehicle usage on Oahu.

**Sec. 15-\_\_5 Administrative enforcement.**

Enforcement of this article shall be done pursuant to the traffic code as set forth in Articles 15-4 and 15-26. If any car-sharing organization is found to be in violation of this chapter or other applicable laws, the department may immediately revoke the car-sharing organization's parking sticker or decal and may refuse to issue additional parking stickers or decals to the car-sharing organization.

**Sec. 15-\_\_6 Deposit and use of revenues.**

The funds collected under this article shall be deposited in the highway fund created by HRS Chapter 249, as amended, and shall be used pursuant to Section 15-22.10, unless otherwise required by law."



**CITY COUNCIL**  
CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII

ORDINANCE \_\_\_\_\_

BILL **24 (2015), CD1, FD1**

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**A BILL FOR AN ORDINANCE**

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SECTION 3. This ordinance takes effect upon its approval.

INTRODUCED BY:

Trevor Ozawa

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DATE OF INTRODUCTION:

March 25, 2015  
Honolulu, Hawaii

\_\_\_\_\_  
Councilmembers

APPROVED AS TO FORM AND LEGALITY:

*Hamleen A. Kelly*  
Deputy Corporation Counsel

APPROVED this 19<sup>th</sup> day of August, 20 15.

*Kirk Caldwell*  
KIRK CALDWELL, Mayor  
City and County of Honolulu

CITY COUNCIL  
CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII  
CERTIFICATE

ORDINANCE

**BILL 24 (2015), CD1, FD1**

Introduced: 03/25/15

By: TREVOR OZAWA

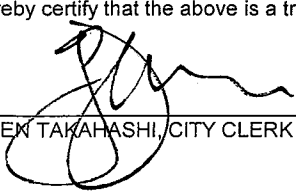
Committee: BUDGET

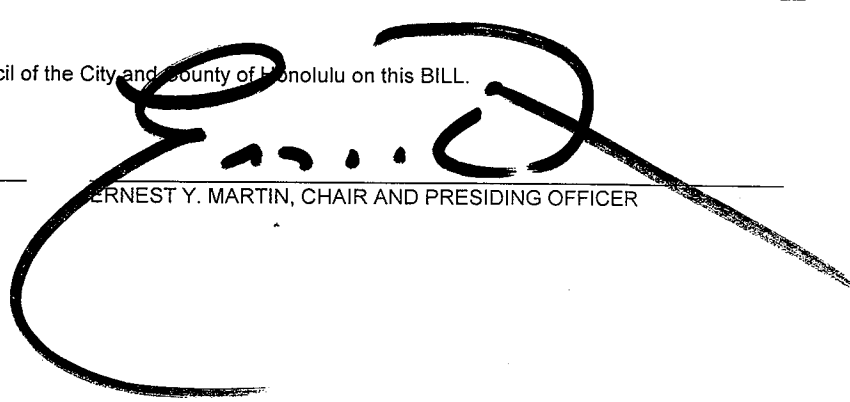
Title: A BILL FOR AN ORDINANCE RELATING TO CAR SHARING.

Voting Legend: \* = Aye w/Reservations

04/01/15	SPECIAL COUNCIL	BILL PASSED FIRST READING AND REFERRED TO COMMITTEE ON BUDGET. 7 AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN, MENOR, OZAWA. 2 ABSENT: ANDERSON, PINE.
04/22/15	COUNCIL	BILL PASSED SECOND READING AND REFERRED TO COMMITTEE ON BUDGET. 8 AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN, MENOR, OZAWA. 1 ABSENT: PINE.
04/25/15	PUBLISH	PUBLIC HEARING NOTICE PUBLISHED IN THE HONOLULU STAR-ADVERTISER.
04/29/15	PUBLISH	SECOND READING NOTICE PUBLISHED IN THE HONOLULU STAR-ADVERTISER.
04/29/15	BUDGET	BILL DEFERRED IN COMMITTEE.
05/27/15	BUDGET	CR-192 – BILL REPORTED OUT OF COMMITTEE FOR PASSAGE ON THIRD READING AS AMENDED IN CD1 FORM.
08/05/15	COUNCIL	BILL AMENDED TO FD1. 9 AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN, MENOR, OZAWA, PINE. CR-192 ADOPTED AND BILL 24 (2015), CD1, FD1 PASSED THIRD READING. 9 AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN, MENOR, OZAWA, PINE.

I hereby certify that the above is a true record of action by the Council of the City and County of Honolulu on this BILL.

  
GLEN TAKAHASHI, CITY CLERK

  
ERNEST Y. MARTIN, CHAIR AND PRESIDING OFFICER



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## A BILL FOR AN ORDINANCE

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RELATING TO THE REAL PROPERTY TAX EXEMPTION FOR CREDIT UNIONS.

BE IT ORDAINED by the People of the City and County of Honolulu:

SECTION 1. Purpose. The purpose of this ordinance is to amend the real property tax exemption for credit unions.

SECTION 2. Section 8-10.24, Revised Ordinances of Honolulu 1990, as amended, is amended to read as follows:

**"Sec. 8-10.24        Exemption—Credit union.**

- (a) Real property owned in fee simple or leased for a period of one year or more by a federal or state credit union which is actually and exclusively used for credit union purposes shall be exempt from real property taxes to the extent taxes assessed exceed \$1,000.00. If the property for which exemption is claimed is leased, the lease agreement shall be in force and recorded in the bureau of conveyances at the time the exemption is claimed. As used in this section, "federal credit union" means a credit union organized under any Federal law including the Federal Credit Union Act of 1934, 12 U.S.C. Chapter 14, as amended, and "state credit union" means a credit union organized under [the Hawaii Credit Union Act, HRS Chapter 410, as amended] State law.
- (b) If any portion of the property which might otherwise be exempted under this section is used for commercial or other purposes not within the conditions necessary for exemption (including any use the primary purpose of which is to produce income even though such income is to be used for or in furtherance of the exempt purposes) that portion of the premises shall not be exempt but the remaining portion of the premises shall not be deprived of the exemption if the remaining portion is used exclusively for purposes within the conditions necessary for exemption. In the event of an exemption of a portion of a building, the tax shall be assessed upon so much of the value of the building (including the land thereunder and the appurtenant premises) as the proportion of the floor space of the nonexempt portion bears to the total floor space of the building."

SECTION 3. Ordinance material to be repealed is bracketed. New ordinance material is underscored. When revising, compiling or printing this ordinance for inclusion in the Revised Ordinances of Honolulu, the revisor of ordinances need not include the brackets, the bracketed material or the underscoring.



CITY COUNCIL  
CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII

ORDINANCE \_\_\_\_\_

BILL 30 (2015), CD1

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A BILL FOR AN ORDINANCE

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SECTION 4. This ordinance takes effect upon its approval and applies to tax years beginning July 1, 2016 and thereafter.

INTRODUCED BY:

Ernest Martin (BR)

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DATE OF INTRODUCTION:


April 13, 2015  
Honolulu, Hawaii

Councilmembers

APPROVED AS TO FORM AND LEGALITY:

  
Deputy Corporation Counsel

APPROVED this 19<sup>th</sup> day of August, 2015.

  
KIRK CALDWELL, Mayor  
City and County of Honolulu

CITY COUNCIL  
CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII  
CERTIFICATE

ORDINANCE

BILL 30 (2015), CD1

Introduced: 04/13/15

By: ERNEST MARTIN (BR)

Committee: BUDGET

Title: A BILL FOR AN ORDINANCE RELATING TO THE REAL PROPERTY TAX EXEMPTION FOR CREDIT UNIONS.

Voting Legend: \* = Aye w/Reservations

04/22/15	COUNCIL	BILL PASSED FIRST READING AND REFERRED TO COMMITTEE ON BUDGET. 9 AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN, MENOR, OZAWA, PINE.
05/12/15	SPECIAL BUDGET	CR-174 – BILL REPORTED OUT OF COMMITTEE FOR PASSAGE ON SECOND READING AND SCHEDULING OF A PUBLIC HEARING.
05/23/15	PUBLISH	PUBLIC HEARING NOTICE PUBLISHED IN THE HONOLULU STAR-ADVERTISER.
06/03/15	COUNCIL/PUBLIC HEARING	PUBLIC HEARING CLOSED. CR-174 AND BILL RECOMMITTED TO COMMITTEE ON BUDGET. 9 AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN, MENOR, OZAWA, PINE.
06/17/15	BUDGET	CR-252 – BILL REPORTED OUT COMMITTEE FOR PASSAGE ON SECOND READING AS AMENDED IN CD1 FORM.
07/08/15	COUNCIL	CR-252 ADOPTED. BILL PASSED SECOND READING AS AMENDED AND REFERRED TO COMMITTEE ON BUDGET. 8 AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MARTIN, MENOR, OZAWA, PINE. 1 ABSENT: MANAHAN.
07/15/15	PUBLISH	SECOND READING NOTICE PUBLISHED IN HONOLULU STAR-ADVERTISER.
07/22/15	BUDGET	CR-287 – BILL REPORTED OUT OF COMMITTEE FOR PASSAGE ON THIRD READING.
08/05/15	COUNCIL	CR-287 ADOPTED AND BILL 30 (2015), CD1 PASSED THIRD READING. 9 AYES: ANDERSON*, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN, MENOR, OZAWA, PINE.

I hereby certify that the above is a true record of action by the Council of the City and County of Honolulu on this BILL.

  
GLEN TAKAHASHI, CITY CLERK

  
ERNEST Y. MARTIN, CHAIR AND PRESIDING OFFICER



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## A BILL FOR AN ORDINANCE

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TO ESTABLISH A FUND TO ADDRESS MITIGATION COSTS RELATING TO THE CONSTRUCTION OF THE TRANSIT PROJECT.

BE IT ORDAINED by the People of the City and County of Honolulu:

SECTION 1. The purpose of this ordinance is to create a fund to receive and expend moneys to mitigate negative economic impacts from the construction of the Honolulu High Capacity Transit project.

SECTION 2. Chapter 6, Revised Ordinances of Honolulu 1990, as amended, is amended by adding a new article to be appropriately designated by the revisor of ordinances and to read as follows:

**"Article \_\_. Transit Construction Mitigation Fund**

**Sec. 6-\_\_\_.1 Establishment.**

There is hereby created a special fund to be known as the "transit construction mitigation fund."

**Sec. 6-\_\_\_.2 Purpose.**

The purpose of the transit construction mitigation fund is to receive and expend moneys to mitigate negative economic impacts from the construction of the Honolulu High Capacity Transit project.

**Sec. 6-\_\_\_.3 Deposits.**

Only moneys from the general fund or other federal, state or private sources that have been so specified for these purposes may be deposited into the transit construction mitigation fund.

**Sec. 6-\_\_\_.4 Expenditures.**

Expenditures from this fund shall only be used to mitigate negative economic impacts on businesses from the construction of the Honolulu High Capacity Transit project and such expenditures may include, but not be limited to:

1. Reestablishment payments (grants): Available to businesses that were forced to physically relocate due to rail construction;



**CITY COUNCIL**  
CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII

ORDINANCE \_\_\_\_\_

BILL **42 (2015), CD2, FD1**

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**A BILL FOR AN ORDINANCE**

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2. Business interruption payments (grants): To compensate businesses located along the corridor for loss of business income due to construction impacts; and
3. Working capital advances (loans): For covering legitimate business operating expenses required to continue operation during the construction phase.

**Sec. 6-\_\_\_.5 Administration.**

The director of budget and fiscal services shall administer the fund."



**CITY COUNCIL**  
CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII

ORDINANCE \_\_\_\_\_

BILL 42 (2015), CD2, FD1

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**A BILL FOR AN ORDINANCE**

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SECTION 3. This ordinance takes effect upon its approval.

INTRODUCED BY:

Ernest Martin

Carol Fukunaga

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\_\_\_\_\_

DATE OF INTRODUCTION:

April 30, 2015  
Honolulu, Hawaii

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\_\_\_\_\_

Councilmembers

APPROVED AS TO FORM AND LEGALITY:

*Angie R. Ikeno*  
Deputy Corporation Counsel

APPROVED this 19<sup>th</sup> day of August, 2015.

*Kirk Caldwell*  
KIRK CALDWELL, Mayor  
City and County of Honolulu

CITY COUNCIL  
CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII  
CERTIFICATE

ORDINANCE

**BILL 42 (2015), CD2, FD1**

Introduced: 04/30/15

By: ERNEST MARTIN

Committee: BUDGET

Title: A BILL FOR AN ORDINANCE TO ESTABLISH A FUND TO ADDRESS MITIGATION COSTS RELATING TO THE CONSTRUCTION OF THE TRANSIT PROJECT.

Voting Legend: \* = Aye w/Reservations

05/06/15	COUNCIL	BILL PASSED FIRST READING AND REFERRED TO COMMITTEE ON BUDGET. 8 AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MARTIN, MENOR, OZAWA, PINE. 1 ABSENT: MANAHAN.
05/27/15	BUDGET	CR-196 – BILL REPORTED OUT OF COMMITTEE FOR PASSAGE ON SECOND READING AS AMENDED IN CD1 FORM AND SCHEDULING OF A PUBLIC HEARING.
05/23/15	PUBLISH	PUBLIC HEARING NOTICE PUBLISHED IN THE HONOLULU STAR-ADVERTISER.
06/03/15	COUNCIL/PUBLIC HEARING	CR-196 ADOPTED. BILL PASSED SECOND READING AS AMENDED, PUBLIC HEARING CLOSED AND REFERRED TO COMMITTEE ON BUDGET. 9 AYES: ANDERSON, ELEFANTE*, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN, MENOR, OZAWA, PINE.
06/10/15	PUBLISH	SECOND READING NOTICE PUBLISHED IN THE HONOLULU STAR-ADVERTISER.
06/17/15	BUDGET	BILL DEFERRED IN COMMITTEE.
07/22/15	BUDGET	CR-288 – BILL REPORTED OUT OF COMMITTEE FOR PASSAGE ON THIRD READING AS AMENDED IN CD2 FORM.
08/05/15	COUNCIL	BILL AMENDED TO FD1. 9 AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN, MENOR, OZAWA, PINE. CR-288 ADOPTED AND BILL 42 (2015), CD2, FD1 PASSED THIRD READING. 9 AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN, MENOR, OZAWA, PINE.

I hereby certify that the above is a true record of action by the Council of the City and County of Honolulu on this BILL.

  
GLEN TAKAHASHI, CITY CLERK

  
ERNEST Y. MARTIN, CHAIR AND PRESIDING OFFICER



**CITY COUNCIL**  
CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII

ORDINANCE \_\_\_\_\_  
BILL 45 (2015)

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**A BILL FOR AN ORDINANCE**

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RELATING TO BABY DIAPER-CHANGING ACCOMMODATIONS.

BE IT ORDAINED by the People of the City and County of Honolulu:

SECTION 1. Purpose. The purpose of this ordinance is to address the provision of baby diaper-changing accommodations for certain establishments and uses.

SECTION 2. Chapter 16, Revised Ordinances of Honolulu 1990 ("Building Code"), is amended by adding a new article to be appropriately designated by the revisor of ordinances and to read as follows:

**"Article \_\_. Baby Diaper-Changing Accommodations**

**Sec. 16-\_\_.1 Definitions.**

"Baby diaper-changing accommodation" means a safe, sanitary and convenient baby diaper-changing station, deck, table or similar amenity which is installed or placed in a separate, designated location in an establishment or use subject to the provisions of this article. Such accommodations may include, but are not limited to, stations, decks and tables in women's and men's restrooms or unisex/family restrooms.

"New establishment or use" means the following establishments or uses that are instituted or substantially modified after the effective date of this ordinance:

- (1) Airports.
- (2) Art galleries and museums.
- (3) Automobile sales and rentals.
- (4) Automobile service stations as defined in Section 21-10.1.
- (5) Day-care facilities as defined in Section 21-10.1.
- (6) Eating establishments.
- (7) Financial institutions as defined in Section 21-10.1.
- (8) Home improvement centers as defined in Section 21-10.1.



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## A BILL FOR AN ORDINANCE

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- (9) Hospitals as defined in Section 21-10.1.
- (10) Hotels as defined in Section 21-10.1.
- (11) Indoor amusement and recreation facilities as defined in Section 21-10.1.
- (12) Medical clinics as defined in Section 21-10.1.
- (13) Meeting facilities as defined in Section 21-10.1.
- (14) Neighborhood grocery stores as defined in Section 21-10.1.
- (15) Office buildings.
- (16) Photography studios.
- (17) Public uses and structures as defined in Section 21-10.1.
- (18) Retail establishments as defined in Section 21-10.1.
- (19) Theaters as defined in Section 21-10.1.
- (20) Trade or convention centers as defined in Section 21-10.1.

A new establishment or use shall be deemed to be instituted on the date a certificate of occupancy is issued, or if the establishment or use has unlawfully failed to obtain such certification prior to occupancy, upon the first date of occupancy for its present use.

An establishment or use shall be deemed to be substantially modified so as to require compliance with this article upon any reconstruction, rehabilitation, addition or other improvement of the existing building or facility occupied by the establishment or use, if:

- (1) Such reconstruction, rehabilitation, addition or other improvement requires more than fifty percent of the gross floor area occupied by the establishment or use to be rebuilt;
- (2) The estimated cost of the reconstruction, rehabilitation, addition or other improvement as set forth in the applicable building permit is at least \$50,000.00; or



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## A BILL FOR AN ORDINANCE

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- (3) The estimated cost of the new construction or renovation of any restroom or restrooms as set forth in the applicable building permit is at least \$10,000.00.

It is provided, however, that no establishment or use shall be deemed to be substantially modified if no structural changes are made to any existing restroom in the building or facility occupied by the establishment or use.

"Restroom for public use" means a restroom that is accessible to persons other than employees of the establishment in which the restroom is located.

**Sec. 16-\_\_\_.2 Requirement to provide accommodations.**

Every new establishment or use as defined herein shall be required to provide baby diaper-changing accommodations in accordance with the requirements of this article. Each such establishment or use shall be required to provide, at each floor level containing restrooms for public use, at least one accommodation that is accessible to women and one that is accessible to men, or a single accommodation accessible to both. Each such establishment shall provide signage indicating the location of the baby diaper-changing accommodations.

**Sec. 16-\_\_\_.3 Construction documents.**

Construction documents for new establishments or uses shall show whether or not a restroom is a restroom for public use as defined in Section 16-\_\_\_.1 and the location of each baby diaper-changing accommodation within such restroom. If a restroom is not shown as a restroom for public use on the construction documents and, subsequent to the issuance of the building permit authorizing the construction or renovation of the restroom, there is a change in the designation of the restroom to a restroom for public use, then a baby diaper-changing accommodation shall be provided in such restroom.

**Sec. 16-\_\_\_.4 Hardship exemption.**

A new establishment or use shall not be subject to the provisions of this article if compliance would create a hardship. Under this article, a hardship shall mean that:

- (1) No reasonable physical alternative exists for providing baby diaper-changing accommodations, or



**CITY COUNCIL**  
CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII

ORDINANCE \_\_\_\_\_  
BILL 45 (2015)

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**A BILL FOR AN ORDINANCE**

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- (2) The cost of providing such accommodations exceeds 10 percent of the cost of constructing, purchasing or substantially modifying the building or facility occupied by the establishment or use.

**Sec. 16-\_\_\_.5 Violations—Penalty.**

For violation and penalty provisions of this article, see Article 10 of this chapter."



**CITY COUNCIL**  
CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII

ORDINANCE \_\_\_\_\_  
BILL 45 (2015)

**A BILL FOR AN ORDINANCE**

SECTION 3. This ordinance takes effect upon its approval, provided that this ordinance shall not be applicable to new construction or renovation projects for which building permit applications were filed with the City prior to the effective date of this ordinance.

INTRODUCED BY:

*[Signature]*

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DATE OF INTRODUCTION:

MAY 13 2015  
Honolulu, Hawaii

Councilmembers

APPROVED AS TO FORM AND LEGALITY:

*[Signature]*  
Deputy Corporation Counsel

APPROVED this 14th day of August, 20 15.

*[Signature]*

KIRK CALDWELL, Mayor  
City and County of Honolulu

24:5:19 05:14:12:05  
CITY OF HONOLULU  
CLERK OF THE CITY COUNCIL  
RECEIVED

CITY COUNCIL  
CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII  
CERTIFICATE

ORDINANCE

**BILL 45 (2015)**

Introduced: 05/28/15

By: TREVOR OZAWA


Committee: ZONING AND PLANNING

Title: A BILL FOR AN ORDINANCE RELATING TO BABY DIAPER-CHANGING ACCOMMODATIONS.

Voting Legend: \* = Aye w/Reservations

06/03/15	COUNCIL	BILL PASSED FIRST READING AND REFERRED TO COMMITTEE ON ZONING AND PLANNING. 9 AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN, MENOR, OZAWA, PINE.
06/18/15	ZONING AND PLANNING	CR-266 – BILL REPORTED OUT OF COMMITTEE FOR PASSAGE ON SECOND READING AND SCHEDULING OF A PUBLIC HEARING.
06/27/15	PUBLISH	PUBLIC HEARING NOTICE PUBLISHED IN THE HONOLULU STAR-ADVERTISER.
07/08/15	COUNCIL/PUBLIC HEARING	CR-266 ADOPTED. BILL PASSED SECOND READING, PUBLIC HEARING CLOSED AND REFERRED TO COMMITTEE ON ZONING AND PLANNING. 9 AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN, MENOR, OZAWA, PINE.
07/15/15	PUBLISH	SECOND READING NOTICE PUBLISHED IN THE HONOLULU STAR-ADVERTISER.
07/23/15	ZONING AND PLANNING	CR-300 – BILL REPORTED OUT OF COMMITTEE FOR PASSAGE ON THIRD READING.
08/05/15	COUNCIL	CR-300 ADOPTED AND BILL 45 (2015) PASSED THIRD READING. 9 AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN, MENOR, OZAWA, PINE.

I hereby certify that the above is a true record of action by the Council of the City and County of Honolulu on this BILL.

  
GLEN TAKAHASHI, CITY CLERK

  
ERNEST Y. MARTIN, CHAIR AND PRESIDING OFFICER